

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROBERT GUTIERREZ,

Plaintiff,

v.

CV 14-00637 RB/WPL

NATHAN HARGER,

Defendant.

ORDER GRANTING MOTION TO EXTEND DEADLINES

Plaintiff Robert Gutierrez has filed a motion to extend deadlines, which Defendant Nathan Harger opposes. (Docs. 37, 38, 40.) Plaintiff claims that he has had difficulty contacting his treating physician to determine whether he will present expert testimony. Defendant opposes the extension, noting a litany of late disclosures by Plaintiff concerning discovery and the fact that the parties have already agreed to one extension of time because Plaintiff was having difficulty contacting his treating physician.

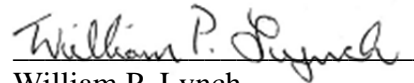
This case is set for trial on January 11, 2016. (Doc. 23.) I have considered the factors set out in *Smith v. United States*, 834 F.2d 166, 169 (10th Cir. 1987), and will grant one last extension of time to allow the parties to complete discovery.

Accordingly, the pretrial deadlines are hereby extended as follows:

- 1) The termination date for discovery is **May 13, 2015**.
- 2) Motions relating to discovery (including, but not limited to, motions to compel and motions for protective order) shall be filed with the Court and served on opposing parties by **June 4, 2015**.

- 3) Plaintiff(s) shall identify in writing any expert witness to be used by Plaintiff(s) at trial and provide expert reports under Rule 26(a)(2)(B) or summary disclosures under Rule 26(a)(2)(C) no later than **March 16, 2016**.
- 4) All other parties shall identify in writing any expert witness to be used by such parties at trial and provide expert reports under Rule 26(a)(2)(B) or summary disclosures under Rule 26(a)(2)(C) no later than **April 16, 2015**.
- 5) Pretrial motions, other than discovery motions, shall be filed with the Court and served on opposing parties by **June 15, 2015**.
- 6) Counsel are directed to submit a consolidated final pretrial order as follows: Plaintiff(s) to Defendant(s) on or before **July 29, 2015**; Defendant(s) to Court on or before **August 13, 2015**.

IT IS SO ORDERED.



William P. Lynch
United States Magistrate Judge

A true copy of this order was served on the date of entry--via mail or electronic means--to counsel of record and any pro se party as they are shown on the Court's docket.